

Minority Views
To the
Committee Report
On
HR 1104, the “Child Abduction Prevention Act of 2003”

We write these Minority views to express our disappointment that the Committee did not also markup a “clean” AMBER Alert bill. That intent was communicated to the Chairman in a March 17, 2003 letter requesting that S.121, the “National AMBER Alert Network Act of 2003,” which unanimously passed the Senate earlier this year and had already been referred to the Committee for consideration, be added to the scheduled markup of H.R. 1104. The letter, a copy of which is attached hereto, was signed by all of the Democratic members of this Committee. This letter reflects a consensus that we could and should swiftly pass the AMBER Alert provisions of this bill, clearing it for the President’s signature, with the utmost dispatch. The remainder of H.R. 1104 could then be considered on its merits and proceed on a separate track without jeopardizing the AMBER Alert provisions of the bill.

The pressing need for a freestanding AMBER bill has been supported by Ed Smart¹ (the father of Elizabeth Smart); various child advocacy groups, including the Polly Klaas Foundation;² California Governor Gray Davis;³ Virginia Governor Mark Warner⁴ and Sen. Kay Bailey Hutchison (R-TX),⁵ who have all called upon the House to enact a clean AMBER Alert bill. Indeed, during a recent press conference on this issue, Sen. Hutchison pleaded with the Majority to “consider letting [her] bill go.”⁶ In a joint letter, Governors Davis and Warner urged House leaders to quickly enact an AMBER Alert bill “unfettered by additional proposals.”⁷ Weighing in on the issue, the Klaas Foundation reminded us that “the Senate quickly passed a stand-alone AMBER Alert bill months ago” and went on to add that, “the House should do the same now.”⁸

¹ Press Release, Ed Smart, Regarding the National AMBER Alert Network Act (March 13, 2003).

² Press Release, The Polly Klaas Foundation, The PKF Urges Congress to Immediately Pass H.R. 412 as a Freestanding Bill (Date Not Specified).

³ Letter from Governors Gray Davis (CA) and Mark Warner (VA) to James Sensenbrenner, Chairman of the House Judiciary Committee (March 18, 2003).

⁴ See Letter from Governors Davis and Warner, *supra* note 3.

⁵ Press Conference with Senators Hutchison and Feinstein in Washington, DC. (March 13, 2003). Transcript provided by CNN.

⁶ Id.

⁷ See Letter from Governors Davis and Warner, *supra* note 3.

⁸ See the Polly Klaas Foundation press release, *supra* note 2.

And, finally, in a statement released by Mr. Smart, he simply declared that “passing AMBER Alert as stand alone legislation is critical.”⁹

Despite this plea from child advocacy groups, Republican legislators, and state officials, some in the Majority continue to dismiss the value of the AMBER legislation by asserting that much of it has already been implemented by Executive Order.¹⁰ In fact, the freestanding AMBER bill introduced in the House and already passed by the Senate considerably improve upon the President’s initiative in two meaningful ways. First, it codifies his previous proposals, thereby making them permanent. Second, it more than doubles the available funding to states, thereby enabling them to establish or improve upon their already existing education and communication systems. The President himself, as he announced his own initiative, indicated that House passage of the freestanding bill was critical.¹¹

We therefore reiterate our hope that when H.R. 1104 comes to the floor, Members are also given the opportunity to vote for a clean AMBER bill so that such legislation can be forwarded directly to the President for his signature. The National Center for Missing and Exploited Children has indicated that if a child is not found within 24 hours, the chances of finding that child are very, very remote. We therefore believe it is imperative that AMBER Alert legislation be enacted immediately.

John Conyers, Jr.
Howard L. Berman
Jerrold Nadler
Robert C. Scott
Melvin L. Watt
Zoe Lofgren
Sheila Jackson Lee
Maxine Waters
Martin T. Meehan
William D. Delahunt
Tammy Baldwin
Anthony D. Weiner
Adam B. Schiff
Linda T. Sanchez

⁹ See Ed Smart press release, *supra* note 1.

¹⁰ House of Representatives Committee on the Judiciary Markup Transcript of H.R. 1104, the “Child Abduction Prevention Act of 2003.” (March 18, 2003) (Comments of Chairman Jim Sensenbrenner, p. 46)

¹¹ White House Press Conference on Missing, Exploited and Runaway Children (October 2, 2002).